



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU CONSOLIDATES PROCEEDINGS ON DISH APPLICATIONS FOR EXTENSIONS OF TIME TO CONSTRUCT FACILITIES WITH DOCKET OF T-MOBILE – SPRINT TRANSACTION

WT Docket No. 18-197

ULS File Nos. 0008741236, 0008741420, 0008741603, and 0008741789

In this Public Notice, in order to better manage proceedings related to DISH's licenses,¹ we consolidate the records for those filings with the docket for the Applications filed by T-Mobile US, Inc. (T-Mobile), and Sprint Corporation (Sprint) for the transfer of control of the licenses, authorizations, and spectrum leases held by Sprint Corporation and its subsidiaries to T-Mobile US, Inc.²

On June 18, 2018, T-Mobile and Sprint filed applications, pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended (the Act),³ seeking Commission consent to the transfer of control of the licenses, authorizations, and spectrum leases held by Sprint Corporation and its subsidiaries to T-Mobile US, Inc., and the *pro forma* transfer of control of the licenses, authorizations, and spectrum leases held by T-Mobile US, Inc., and its subsidiaries in furtherance of T-Mobile's and Sprint's previously announced agreement to merge. T-Mobile also filed a petition for declaratory ruling to permit foreign ownership in excess of the statutory benchmark in section 310(b) of the Act.⁴ On May 20, 2019, T-Mobile and Sprint filed with the Commission a series of commitments, including the divestiture of Boost Mobile, to resolve concerns raised in the record regarding potential public interest harms and benefits.⁵

On July 26, 2019, DISH's subsidiaries filed applications pursuant to section 309(c) of the Communications Act, for extensions of time to complete construction of their facilities for their AWS-4,

¹ Application for Extension of Time of American H Block Wireless L.L.C., ULS File No. 0008741236 (filed July 26, 2019); Application for Extension of Time of DBSD Corp., ULS File No. 0008741420 (filed July 26, 2019); Application for Extension of Time of Gamma Acquisition L.L.C., ULS File No. 0008741603 (filed July 26, 2019); and Application for Extension of Time of Manifest Wireless L.L.C., ULS File No. 0008741789 (filed July 26, 2019).

² WT Docket No. 18-197. *See T-Mobile US, Inc., and Sprint Corporation Seek FCC Consent to the Transfer of Control of the Licenses, Authorizations, and Spectrum Leases Held by Sprint Corporation and Its Subsidiaries to T-Mobile US, Inc., and the Pro Forma Transfer of Control of the Licenses, Authorizations, and Spectrum Leases Held by T-Mobile US, Inc., and Its Subsidiaries, Pleading Cycle Established*, WT Docket No. 18-197, Public Notice, 33 FCC Rcd 6771 (2018).

³ 47 U.S.C. §§ 214, 310(d).

⁴ 47 U.S.C. § 310(b).

⁵ *See* Letter from Nancy Victory, Counsel to T-Mobile, and Regina Keeney, Counsel to Sprint, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 18-197 (filed May 20, 2019) (T-Mobile/Sprint May 20, 2019 Commitments Letter).

Lower 700 MHz E Block, and AWS H Block licenses.⁶ With those requests, DISH expressed a willingness to accept a number of conditions that would generally require it to construct a nationwide 5G broadband network, subject to making significant financial payments if it fails to do so.⁷ Those requests arise in connection with the proposed settlement of the Department of Justice's antitrust suit against the merger of T-Mobile and Sprint, in which DISH has agreed to comply with the commitments it made to the Commission with regard to its recent filings.⁸ DISH contends that its role as the acquirer of Boost Mobile and other Sprint prepaid assets divested as part of the Department's proposed settlement will facilitate and expedite its entry into the mobile wireless market.⁹

After review of DISH's filings, we conclude that management of the associated proceedings would be streamlined by their consolidation with the existing T-Mobile/Sprint docket.¹⁰ Accordingly, we consolidate the records associated with DISH's July 26, 2019 filings with the record of WT Docket No. 18-197.

For further information, send an email to T-MobileSprintTransaction@fcc.gov.

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⁶ See *supra* note 1.

⁷ See Letter from Jeffrey H. Blum, Senior Vice President, Public Policy & Government Affairs, DISH Network Corporation, to Donald Stockdale, Chief, Wireless Telecommunications Bureau (July 26, 2019) (DISH July 26, 2019 Commitments Letter).

⁸ *Id.*

⁹ *Id.* at 1-2; Letter from Jeffrey H. Blum, Senior Vice President, Public Policy & Government Affairs, DISH, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 18-197, at 3 (filed Aug. 1, 2019).

¹⁰ See 47 U.S.C. § 4(j).